

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Anita V McElwee v Davenport University**  
Docket No. **296898**  
L.C. No. **09-003121-AE**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the order of the circuit court on appeal from an administrative tribunal is not appealable as a matter of right. MCR 7.203(A)(1)(a). An appeal from an order of the circuit court on appeal from another tribunal must come by application for leave to appeal under MCR 7.205. MCR 7.203(B)(2). Further, even if the September 23, 2009 order being appealed from were appealable of right, the claim of appeal was not timely filed because it was filed more than 21 days after the entry of that order. MCR 7.204(A)(1)(a). At this time, appellant may seek to appeal the September 23, 2009 order only by filing a delayed application for leave to appeal under MCR 7.205(F).

The motion to waive fees is GRANTED for this case only.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 29 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk